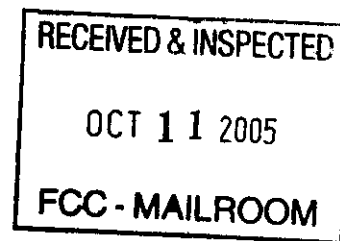




EX PARTE OR LATE FILED
TOWN OF
GREENWICH

Department of Police, 11 Bruce Place, Greenwich, CT 06830
Telephone: (203) 622-8000 Fax: (203) 618-8866



James A. Walters
Chief of Police
FBINA 202

September 29, 2005

Pat J.
Depo

ORIGINAL

Ms. Marlene Dortch, Esq., Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: EX PARTE: Support for Petition for Reconsideration, WTB Docket 02-55

Dear Ms. Dortch:

The Greenwich Police Department would put forth the following comments in support of the FCC Region 8 - Tri-State Regional Planning *Petition for Reconsideration* as filed on January 21, 2005, its *Response to Opposition to Petition for Reconsideration* as filed April 28, 2005, and the National Association of Regional Planning Committees' support filing on September 14, 2005. These filings request that the FCC revert back to full interference protection of the NPSPAC channel during the 800 MHz rebanding process. With the timeline for "Wave 1" rebanding of the NPSPAC spectrum now only months away, this matter is of particular urgency.

The Greenwich Police Department operates and administrates an approximately 550 subscriber 800 MHz, trunked radio system across several NPSPAC channels. Our system provides the primary means of radio communications support for all elements of emergency operations in our municipality, including Police, Fire and EMS services. To permit even temporary interference during the rebanding process would have a significant and detrimental effect on the provision of all emergency and public safety services to a city of 60,000 persons. Currently, we routinely experience radio communications difficulties from interference of the type that the rebanding process is designed to correct. Unfortunately, we are quite familiar with intermodulation interference in the NPSPAC spectrum and are engaged in an on-going battle to isolate and correct it because of its deleterious effect on public safety. To have your organization provide its tacit approval to permit this interference even for brief periods during the rebanding process is highly objectionable.

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The Greenwich Police Department would bring to your attention the following three especially salient points (as excerpted from the Region 8 *Reply to Opposition* of April 28, 2005) as to why interference protection should be afforded to the greatest possible extent:

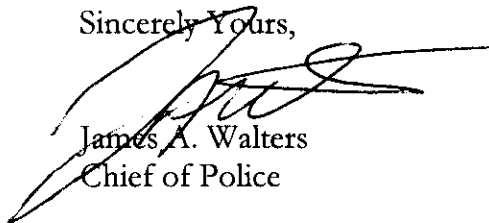
- (1) *The NPSPAC band does indeed have unique characteristics, as it is the only non-interleaved public safety band at 800 MHz, making it much less susceptible to receiver generated third and fifth order intermodulation products resulting from ESMR and cellular interference¹. Because of this, all intermodulation issues related to spectrum interleaving are eliminated. Even today, the major cause of interference to NPSPAC utilization is due to high levels of in-band noise resulting from cellular and ESMR OOBs due to the use of spectrally impure combiner/transmitter systems and by receiver overload due to very large out-of-NPSPAC band signals (i.e. cellular and ESMR) at close proximity to public safety receivers.*
- (2) *The NPSPAC band is the only location where internationally defined 800 MHz Mutual Aid Interoperability channels are located. In Region 8, these channels provide the core spectrum for a comprehensive mutual aid and interoperability first responder system spanning three states. Interference on these channels (which are interleaved throughout the NPSPAC band) is completely unacceptable. These internationally defined interoperability channels are the most effective and seamless place to go during a large-scale incident in order to interoperate with first responders coming into a local area from outside areas or for multiple agencies to assist in a localized or Regional incident. It is ludicrous to even suggest that the in-band protection of these channels should be compromised for any reason, much less to protect some ethereal and undefined, loss of "level of service" for out-of-band interference sources. Furthermore, the heavy tactical utilization of these channels requires that the only practical solution to providing effective area-wide monitoring and protection of these channels from out-of-band interference sources is to provide protection to the entire NPSPAC band. It is simply not an acceptable policy to wait until interference occurs on these channels (or any NPSPAC channels for that matter), and then rely upon a second tier or "best practices solution". Not only will relief come too late in these instances, but a heinous loss of life and property might also result. Just imagine what could happen if such a critical communications link is interfered with and a time-sensitive evacuation order is lost². Unfortunately, we understand the consequences of this too well.*
- (3) *Public safety entities do not have the fiscal ability to build out their entire systems in order to be afforded satisfactory interference protection that is tied to a well-defined quick resolution process. Requiring public safety entities to simply increase their signal levels 16 dB in order to get interference protection is not only ludicrous, but equivalent to wanton spectrum pollution. It is also a massive waste of taxpayer dollars. Clearly there must be a more "balanced" solution than the one proposed by Nextel and tentatively accepted by the Commission.*

¹ Almost by definition, most high-level IM3 and IM5 products (the main sources of this harmful interference) produce (by combination) cellular/CMRS interference, cellular/cellular interference, and CMRS/CMRS interference that occurs mainly outside of the NPSPAC band.

² Worse still is the emergency call that does not get through because of "acceptable levels of interference". The officer who needs immediate assistance does not always get the automatic retries; his first call for help may be the only call he can make. He or she does not get to call back later, retry his call, or may not even be aware that his message has gone unheard.

A review of the record indicates that Region 8 is the only body that appears to have fully considered, analyzed and presented tangible evidence of the considerable effect upon and amount of operational area that public safety will lose should the interim interference protection levels be adjusted upward from -101/-104 dBm to -85/-88 dBm. It is clear that Region 8 has provided a quantitative assessment (in the form of analyses) and evidence (in the form of collected measurements) about what will be the true effect of this change. The potential result of these regulatory changes is alarming. Accordingly, the Greenwich Police Department strongly and respectfully requests that the Commission revert back to the original protection levels for the NPSPAC portions of the 800 MHz band.

Sincerely Yours,



James A. Walters
Chief of Police

JAW/nra

Cc: James A. Lash, First Selectman
Administrative Lt. Mark Kordick